IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 670 OF 2006
IN
NOTICE OF MOTION NO. 579 OF 2006
IN
SUIT NO. 533 OF 2006

Mr. Surinder Singh Gouri & Anr. .. Appellants.

V/s.

Mrs.Shakuntala Naresh Ahuja .. Respondent.

Mr.D.H.Mehta with Mr.Ashwin Thakkar i/by M/s.Thakkar & Co. for the Appellants.

Mr.Milind Vasudeo i/by M/s. Kumana & Co. for the Respondent.

CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATED : 15th SEPTEMBER, 2006.

P.C.:

. We heard the counsel for the Appellant.

2. The Appeal is against the ad-interim order. We are informed that the Notice of Motion itself is coming up for hearing in the next week.

3. In the circumstances, we are satisfied that the merits of the diverse contentions need not be examined by us and the interest of justice shall be sub-served, if the Notice of Motion is heard finally on the next date, already fixed by the motion Judge or any other

subsequent date that may be fixed. Obviously, the observations made in the impugned order shall not influence the consideration of the Notice of Motion on merits by the motion Judge, as those observations have been made by the learned motion Judge for the purpose of ad-interim relief.

4. Appeal is disposed of accordingly.

(R.M.LODHA,J)

(S.A.BOBDE,J)

.....